

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

UNITED STATES OF AMERICA,

Plaintiff,

v.

MANON COTE,

Defendant,

and

SAS RETAIL SERVICES LLC, and its
successors or assigns,

Garnishee.

Misc. No. 2:21-MC-132

Related to Docket No. 1:13-CR-00041-001

AGREED FINAL ORDER IN GARNISHMENT

The United States of America, by its attorney, Nikolas P. Kerest, United States Attorney for the District of Vermont, the Defendant, Manon Cote ("Defendant"), and the Garnishee, SAS Retail Services LLC ("Garnishee"), (collectively, the "Parties"), agree and stipulate as follows:

1. The Defendant's name is Manon Cote and the defendant's last known address is: Newport, Vermont.
2. A Judgment was entered against the Defendant in the previous action (Docket No. 1:13-CR-00041-001) in the amount of \$368,245.37. The total balance due on the Judgment is \$349,712.68 as of March 7, 2022, with interest accruing thereafter pursuant to 18 U.S.C. § 3612(f).
3. The Garnishee has in its possession, custody or control, property of the Defendant in the form of wages.

4. On September 24, 2021, the United States filed an Application for a Writ of Continuing Garnishment, seeking to garnish twenty-five percent (25%) of the Defendant's disposable income, as permitted by 15 U.S.C. § 1673(a). The Clerk issued a Writ of Continuing Garnishment on September 27, 2021.

5. In response to the Writ of Continuing Garnishment, the Defendant's employer (Garnishee) filed an Answer, dated November 8, 2021, establishing that "Defendant's average disposable earnings are \$1,607.99 per biweekly." The Defendant previously filed her Request for Hearing on October 20, 2021.

6. The Defendant agrees and stipulates that she is subject to garnishment under 28 U.S.C. § 3205, and expressly agrees and stipulates that the entry of a Final Order in Garnishment is proper.

7. All conditions necessary to the issuance of a Final Order in Garnishment against the non-exempt earnings of the Defendant are, thus, fully satisfied.

8. Accordingly, the Parties agree and stipulate to the entry of a Final Order in Garnishment against the non-exempt wages of the Defendant. It is expressly agreed and stipulated to by the Parties that the Garnishee shall pay into the hands of the United States Attorney twenty percent (20%) of the Defendant's disposable earnings per pay period. *See* 15 U.S.C. § 1673(a).

To calculate disposable earnings, subtract the following from gross wages, commissions, and income:

1. Federal Income Tax
2. Federal Social Security Tax
3. Medicare Tax
4. State Tax

9. The Parties further agree and stipulate that these sums are to be applied to the Judgment rendered in the previous cause upon which there is an unpaid balance of \$349,712.68, as of March 7, 2022. These deductions are to continue until the unpaid balance (including interest, if any) is fully paid and satisfied.

10. Checks should be made payable to:

Clerk, U.S. District Court

and mailed to:

Clerk, U.S. District Court
P.O. Box 945
Burlington, VT 05402-0945

11. It is further agreed that the amounts withheld by Garnishee up to this date shall be mailed to the Clerk, U.S. District Court to be applied to the restitution debt. Any amounts currently held by the Clerk of the U.S. District Court shall also be retained and applied to the restitution debt.

12. On or around March 7, 2024, the Defendant shall complete a financial statement for review by the U.S. Attorney's Office to determine if a change is warranted. Thereafter financial reviews will be on a yearly basis.

Dated at Burlington, in the District of Vermont, this ____ day of March, 2022.

UNITED STATES OF AMERICA

NIKOLAS P. KEREST

United States Attorney

JOCELYN

By:

KOCH

JOCELYN L. KOCH

Assistant U.S. Attorney

P.O. Box 570

Burlington, VT 05402-0570

(802) 951-6725

Digitally signed by
JOCELYN KOCH
Date: 2022.04.05
08:51:36 -04'00'

03/09/22
Date

Manon Cote
MANON COTE
Defendant
Newport, VT

4/4/2022
Date

Elvia Sedano
SAS RETAIL SERVICES, LLC
Garnishee
c/o Advantage Solutions; Attn: Payroll
P.O. Box 19738
Irvine, CA 92623

APPROVED AND SO ORDERED in the District of Vermont, this 5th
April
day of ~~March~~, 2022.

/s/ William K. Sessions III
WILLIAM K. SESSIONS, III
U.S. District Court Judge